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3 IN THE UNITED STATES DISTRICT COURT  
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FOR THE NORTHERN DISTRICT OF CALIFORNIA

6 KEVIN LAMAR HOPKINS, ) No. C 12-0813 JSW (PR)  
7 Plaintiff, )  
8 v. ) **ORDER DENYING MOTION  
9 CONTRA COSTA COUNTY SHERIFF ) FOR STAY; GRANTING  
DAVID O. LIVINGSTON, et al., ) EXTENSION OF TIME  
10 Defendants. )  
11 \_\_\_\_\_) (Docket No. 56)**

12 Plaintiff filed this pro se civil rights complaint under 42 U.S.C. § 1983 while he  
13 was incarcerated in the Contra Costa County Jail. Plaintiff filed a motion for summary  
14 judgment and Defendants filed a motion to dismiss on exhaustion grounds. Plaintiff has  
15 filed a motion to indefinitely stay this case because he is now in a drug treatment facility  
16 and claims to be unable to oppose Defendants' motion. The matters necessary to oppose  
17 Defendants' exhaustion motion are within Plaintiff's personal knowledge because he  
18 knows what administrative remedies he pursued regarding his claims. He has not  
19 presented grounds for staying this case, and certainly not for staying it indefinitely.  
20 Accordingly, his motion (docket number 56) is DENIED. He is, however, granted an  
21 extension of time, to and including **December 7, 2012**, in which to oppose Defendants'  
22 motion. Defendants **shall** file a reply brief within **14 days** of the date the opposition is  
23 filed.

24 IT IS SO ORDERED.  
25

26 DATED: November 8, 2012

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JEFFREY S. WHITE  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

KEVIN LAMAR HOPKINS,

Case Number: CV12-00813 JSW

Plaintiff,

## **CERTIFICATE OF SERVICE**

## CONTRA COSTA COUNTY et al,

**Defendant.**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 8, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kevin L. Hopkins CC11CZ851  
3012 High Street  
Oakland, CA 94619

Dated: November 8, 2012

*Jennifer Ottolini*  
Richard W. Wiekking, Clerk  
By: Jennifer Ottolini, Deputy Clerk